

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION

Steven Ramon Green,

Plaintiff,

vs.

Daniel L. Watson, Investigator and
Lieutenant for Darlington Police
Department;
Jay Cox, Police Chief of Darlington
Police Department ,

Defendants.

C.A. No.: 8:07-01832-RBH

ORDER

This matter is before the court for review of the Report and Recommendation of United States Magistrate Judge Bruce Howe Hendricks, made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with this court. See Mathews v. Weber, 423 U.S. 261, 270-71 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made, and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. See 28 U.S.C. § 636(b)(1).

The plaintiff, through his attorneys, filed a document entitled “Objection to Report and Recommendation of the Magistrate Judge” [docket entry #35] on July 26, 2008, in which no specific

objections are made but indicating that they would be filing a “response citing all legal authority within five (5) days from the date of this Motion specifying the reasons the Defendants’ Motion for Summary Judgment should not be granted and the Plaintiff’s Complaint should not be dismissed with prejudice.” The Court is unsure whether this document was intended to be a motion for extension of time to file objections and the Court has not granted any such request. In any event, five days has now passed after the filing of the plaintiff’s document and no additional document has been filed.

The district court need not conduct a *de novo* review when a party makes only general and conclusory objections that do not direct the court to a specific error in the Magistrate Judge’s proposed findings and recommendations. Orpiano v. Johnson, 687 F.2d 44, 47-48 (4th Cir. 1982) (failure to file specific objections to particular conclusions in Magistrate Judge’s Report, after warning of consequences of failure to object, waives further review). Without specific objection to the Magistrate Judge’s reasoning, it is not necessary for this court to discuss the conclusion reached by the Magistrate Judge any further. See 28 U.S.C. §636(b)(1)(C) (If a party objects, the district court “shall make a de novo determination of those portions of the report or *specified* proposed findings or recommendations to which objection is made”) (emphasis added).

Therefore, after a thorough review of the Report and Recommendation and the record in this case, the court adopts Magistrate Judge Hendricks’ Report and Recommendation and incorporates it herein. It is therefore

ORDERED that the defendants’ motion for summary judgment is GRANTED and the plaintiff’s complaint is **DISMISSED** with prejudice.

IT IS SO ORDERED.

s/ R. Bryan Harwell
R. Bryan Harwell
United States District Judge

Florence, South Carolina
August 6, 2008